



09-30-04

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PTO/SB/21 (02-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/678,725
		Filing Date	October 3, 2003
		First Named Inventor	Robert C. Lam
		Art Unit	1771/Conf. #6124
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	01170/00078

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Return Postcard
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Charles R. Schaub, Esq. Emch, Schaffer, Schaub & Porcello Co., L.P.A.
Signature	<i>Charles R. Schaub</i>
Date	9-28-04

### CERTIFICATE OF TRANSMISSION/MAILING

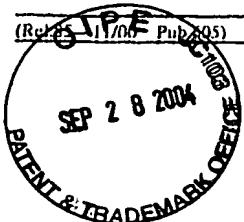
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Typed or printed name	Kathy A. Hower	
Signature	<i>Kathy A. Hower</i>	Date 9/28/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the collection of information should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. 01170/00078**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application  
 of \_\_\_\_\_ Inventor(s)  
 for \_\_\_\_\_ Title of invention

the specification of which is being transmitted herewith

**OR**

In re application of: Robert C. Lam  
 Application No.: 0 10 / 678,725 Group No.:  
 Filed: October 3, 2003 Examiner:  
 For: ELASTIC AND POROUS FRICTION  
 MATERIAL WITH HIGH AMOUNT OF FIBERS

**Assistant Commissioner for Patents**  
 Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT****CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
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Kathy A. Hower  
 Signature

Kathy A. Hower

(type or print name of person certifying)

(Information Disclosure Statement [6-1]—page 1 of \_\_\_\_\_)

Date: 9/28/04

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

**NOTE:** The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

**WARNING:** "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(d).

### **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

*(check sections forming a part of this statement; discard unused sections and number pages consecutively)*

1.  Preliminary Statements
2.  FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3.  Statement as to Information Not Found in Patents or Publications
4.  Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5.  Cumulative Patents or Publications
6.  Copies of Listed Information Items Accompanying This Statement
7.  Concise Explanation of Non-English Language Listed Information Items
  - 7A.  EPO Search Report
  - 7B.  English Language Version of EPO Search Report
8.  Translation(s) of Non-English Language Documents
9.  Concise Explanation of English Language Listed Information Items (Optional)
10.  Identification of Person(s) Making This Information Disclosure Statement

*(complete the following, if appropriate)*

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

**NOTE:** "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

*(Information Disclosure Statement [6-1]—page 2 of \_\_\_\_\_)*

**Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 6. Copies of Listed Information Items Accompanying This Statement**

**NOTE: 37 C.F.R. § 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:**  
**"A legible copy of:**

- (i) Each U.S. patent application publication and U.S. and foreign patent;*
- (ii) Each publication or that portion which caused it to be listed;*
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . ."*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

Exception(s) to above:

- Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- Cumulative patents or publications identified in Section 5.

(Information Disclosure Statement—Section 6. Copies of Listed Information Items Accompanying This Statement [6-1]—page \_\_\_\_\_ of \_\_\_\_\_)

**Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this statement is

*(check each applicable item)*

(a)  the Inventor(s) who signs below

**SIGNATURE OF INVENTOR**

*(type name of inventor who is signing)*

(b)  an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

**SIGNATURE OF INVENTOR**

*(type name of inventor who is signing)*

(c)  the practitioner who signs below on the basis of the information:

*(check each applicable item)*

supplied by the Inventor(s).  
 supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))  
 In the practitioner's file.



**SIGNATURE OF PRACTITIONER**

Charles R. Schaub

*(type or print name of practitioner)*

Reg. No.: 27,518

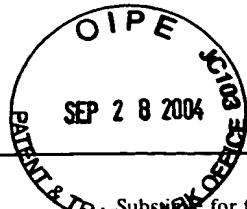
Tel. No.: (419) 243-1294

Customer No.:

3800 Automation Drive, Suite 100  
P.O. Address

Auburn Hills, MI 48326

*(Information Disclosure Statement—Section 10. Identification of Person(s) Making This Information Disclosure Statement [6-1]—page \_\_\_\_\_ of \_\_\_\_\_)*



Substitute for form 1449A/PTO  
**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet		of		Attorney Docket Number	01170/00078
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**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code (if known)			
		US- 4,451,590	05/20/1984	Fujimaki et al.	
		US- 4,524,169	06/18/1985	Wolff et al.	
		US- 4,700,823	10/20/1987	Winckler	
		US- 5,083,650	01/28/1992	Seiz et al.	
		US- 5,395,864	03/07/1995	Miyoshi et al.	
		US- 5,585,166	12/17/1996	Kearsey	
		US- 5,646,076	07/18/1997	Bortz	
		US- 5,662,993	09/27/1997	Winckler	
		US- 5,707,905	01/13/1998	Lam et al.	
		US- 5,753,356	05/19/1998	Lam et al.	
		US- 5,816,901	10/06/1998	Sirany	
		US- 5,856,244	01/05/1999	Lam et al.	
		US- 5,858,883	01/12/1999	Lam et al.	
		US- 5,952,249	09/14/1999	Gibson et al.	
		US- 5,958,507	09/28/1999	Lam et al.	
		US- 5,965,659	10/12/1999	Smith et al.	
		US- 5,989,375	11/23/1999	Bortz	
		US- 5,989,390	11/23/1999	Lee	
		US- 5,998,307	12/07/1999	Lam et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code (if known)				

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				Complete if Known	
Sheet		of		Application Number	10/678,725
				Filing Date	October 3, 2003
				First Named Inventor	Robert C. Lam
				Group Art Unit	
				Examiner Name	
				Attorney Docket Number	01170/00078

<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials	Cite No.	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NumberKind Code (if known)				
		US-	6,001,750	12/14/1999	Lam	
		US-	6,130,176	10/10/2000	Lam	
		US-	6,194,059	02/27/2001	Yesnik	
		US-	6,291,040	09/18/2001	Moriwaki et al.	
		US-	6,352,758	03/05/2002	Huang et al.	
		US-	6,387,531	05/14/2002	Bi et al.	
		US-	6,601,321	08/05/2003	Kendall	
		US-	6,630,416 B1	10/07/2003	Lam et al.	
		US-	10/234,976	09/04/2002	Chen et al.	
		US-	10/233,318	08/30/2002	Chen et al.	
		US-	10/218,019	08/13/2002	Lam et al.	
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Examiner Initials	Cite No.	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code (if known)					

Examiner Signature		Date Considered	
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